

# 84-149-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1.02.2.3.C.1. to: mit a side yard set back of 15.5 feet instead of the required 25 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)  
The residence has only two (2) bedrooms, both being on the second floor. The Owners respectfully request that the Zoning Commissioner permit establishment of a bedroom on the first floor, to be accomplished by enlargement of the present enclosed sunporch from 8' X 9 1/2' to 15' X 19'. Addition of such a bedroom is urgently requested due to the fact that Owner James A. Gaffney (age 62) has previously had extensive varicose vein operations on both legs. In addition, Owner Mary Jane Gaffney (age 63) has a weakened left leg due to severe phlebitis. Because of these (continued on Attachment 1) Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

N/A  
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

James A. Gaffney  
(Type or Print Name)

Signature

Mary Jane Gaffney  
(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

James A. Gaffney

Name

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

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Attorney's Telephone No.:

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City and State

Attorney's Telephone No.:

Address

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
SW Corner of Church & School Rds.  
9th District : OF BALTIMORE COUNTY

JAMES A. GAFFNEY, et ux, : Case No. 84-149-A  
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524.1 of the Baltimore County

Charter, I hereby enter my appearance in this proceeding. You are requested to notify

me of any hearing date or dates which may be now or hereafter designated therefor,

and of the passage of any preliminary Order in connection therewith.

Peter Max Zimmerman  
Deputy People's Counsel

I HEREBY CERTIFY that on this 18th day of November, 1983, a copy of the

foregoing Order was mailed to Mr. and Mrs. James A. Gaffney, 2921 Church Road,

Parkville, MD 21234, Petitioners.

John W. Hession, III  
Deputy People's Counsel

ATTACHMENT 1

physical infirmities, avoiding use of the stairs to the second floor (14 steps) is very important.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Zoning Commissioner  
TO: Office of Planning and Zoning Date: October 26, 1983

FROM: Ian J. Forrester

SUBJECT: Zoning Variance Items  
Meeting - October 11, 1983

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item #85 - James A. & Mary J. Gaffney
- Item #86 - Jerry & Vlasta Babicka
- Item #87 - Twenty-First Century Properties
- Item #91 - Midland Farms, Inc.

Ian J. Forrester, Director  
BUREAU OF ENVIRONMENTAL SERVICES

LTF/eth

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 28, 1983

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

ooo

Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. & Mrs. James A. Gaffney  
2921 Church Road  
Parkville, Maryland 21234

RE: Case No. 84-149-A (Item No. 85)  
Petitioner - James A. Gaffney, et ux  
Variance Petition

Dear Mr. & Mrs. Gaffney:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct an addition to the existing dwelling, this hearing is required. As indicated in my telephone conversation with Mrs. Gaffney, the petition forms were changed from the original request. This was done because it was decided that the front of the existing dwelling is on School Road.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari  
Chairman  
Zoning Plans Advisory Committee

NBC:imch

Enclosures

cc: Pundum & Jesshke  
2115 Maryland Avenue  
Baltimore, Maryland 21218

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

November 8, 1983

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RE: Item #85 (1983-1984)  
Property Owner: James A. & Mary J. Gaffney  
S/W corner School Road and Church Road  
Acres: 75 X 125 District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements exist and are not directly involved.

Filler areas for sight distance are required at the intersection of Church and School Roads.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 85 (1983-1984).

Very truly yours,

Robert A. Morton, P.E., Chief  
Bureau of Public Services

RAM:EAM:FWR:ss

N-NE Key Sheet

32 NE 15 Pos. Sheet

NE 8 D Topo

71 Tax Map

BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

November 14, 1983

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 85, 86, 87, 91 ZAC Meeting of October 11, 1983.  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 85, 86, 87, and 91.

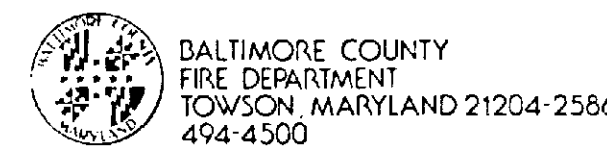
Michael S. Flanigan  
Traffic Engineering Assoc. II

MSF/ccm



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit



PAUL H. REINCKE  
CHIEF

November 29, 1983

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Comodari, Chairman  
Zoning Plans Advisory Commi

RE: Property Owner: James A. and Mary J. Gaffney

Location: School Road and Church Road

Item No.: 85 Zoning Agenda: Meeting of October 11, 1983

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

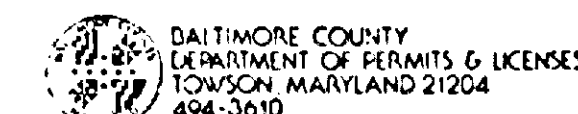
( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *John W. Hession, III* *11/29/83* *Approved*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb  
12/1/83

RECEIVED



1102 JAMES ST.  
DIRECTIONS

Mr. Arne T. Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 85 Zoning Advisory Committee Meeting are as follows:

Property Owner: James A. & Mary J. Gaffney  
Location: SW/Corner, School Road and Church Road  
Existing Zoning: D.R. 5-5  
Proposed Zoning: Variance to permit a front yard setback of 15.5' in lieu of the required 30'.

Acres: 75 x 125  
District: 9th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 State of Maryland Code for the Landscaped and Aged; and other applicable Codes.

B. A building & other \_\_\_\_\_ *miscellaneous* \_\_\_\_\_ be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101, line 2, Section 101 and Table 102, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s \_\_\_\_\_

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 101.

I. Comments

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,  
*Charles E. Burman*  
Charles E. Burman, Chief  
Plans Review

CEB:es

## BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: October 12, 1983

Z.A.C. Meeting of: October 11, 1983

Mr. William E. Hammond  
Zoning Commissioner  
Baltimore County Office Building  
1111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Item No.: 85, 86, 87, 88, 89, 90 and 91

Property Owner:  
Location:  
Present Zoning:  
Proposed Zoning:

District:  
No. Acres:

Dear Mr. Hammond:

The above mentioned item numbers have no adverse effect on student population.

Very truly yours,  
*Wm. Nick Petrovich*  
Wm. Nick Petrovich, Assistant  
Department of Planning

NMP/bp

Dec 6 1983

To Whom it may concern:

Mr. James A. Gaffney has a long history of Varicose Veins for which he had Surgery in 1964. He continues to have intermittent swelling and discomfort of his legs with prolonged standing and walking.

*John W. Hession, III*

PETITIONER'S  
EXHIBIT

December 9, 1983

Michael J. Gaffney, Esquire  
119 East Fayette Street  
Baltimore, Maryland 21202

IN RE: Petition Zoning Variance  
SW/Corner of Church and School  
Roads - 9th Election District  
James A. Gaffney, et ux,  
Petitioners  
Case No. 84-149-A

Dear Mr. Gaffney:

I have this date passed my Order in the above-referenced matter in accordance with the attached.

Sincerely,

*Arnold Jablon*  
Arnold Jablon  
Zoning Commissioner

AJ/srl

Attachments

cc: John W. Hession, III, Esquire  
People's Counsel

IN RE: PETITION ZONING VARIANCE \* BEFORE THE  
SW/Corner of Church and School \* ZONING COMMISSIONER  
Roads - 9th Election District \*  
James A. Gaffney, et ux, \* OF BALTIMORE COUNTY  
Petitioners \* Case No. 84-149-A  
\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 15.5 feet instead of the required 25 feet. The purpose of their request is to permit construction of an addition of a bedroom, which would require enlarging the existing enclosed sun porch from 8' x 9' to 15' x 19', as more fully described on Petitioners' Exhibit 1.

The Petitioners appeared and were represented by Counsel. James A. Gaffney testified. There were no Protestants.

Counsel proffered that the single-family dwelling owned by the Petitioners is a two-story, two-bedroom home. The property is a corner lot with the front of the residence facing School Road and the side to Church Road, although the mailing address is Church Road. The Petitioners wish to expand into and from the existing sun porch in order to create a bedroom on the first floor where none presently exists. Both Mr. and Mrs. Gaffney are ailing and find it difficult and dangerous to use the stairs leading to the second floor of their home. Mr. Gaffney suffers from severe varicose veins and has had operations on both legs while Mrs. Gaffney suffers from severe phlebitis and has a weakened left leg. Due to these physical impairments, the Petitioners seek this variance in order to allow them to use the first floor of their home for living quarters, thereby eliminating the need to use the second floor. A bathroom already exists on the first floor. It would not be possible and/or feasible to expand elsewhere

ORDER RECEIVED FOR FILING  
DATE *Dec 15 1983*  
BY *John W. Hession, III*

MICROFILMED

because a variance would also be required to expand in the front, a kitchen porch and basement entrance already exist in the rear, and expansion on the opposite side would usurp the existing driveway and create a severe grading problem. On that side, there is at least a six-foot drop from the first floor which would require grading.

The addition would increase the value of the home and conform to the neighborhood since similar additions have been built onto other nearby homes.

The Petitioners seek relief from Section 1802.3.C.1., pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

*Anderson v. Bd. of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use

ORDER RECEIVED FOR FILING  
DATE *Dec 15 1983*  
BY *John W. Hession, III*

MICROFILMED



of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of December, 1983, that the Petition for Variance to permit a side yard setback of 15.5 feet instead of the required 25 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*Arnold Jablon*  
Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING  
DATE December 9, 1983  
BY John P. Laskowski  
ADMINISTRATIVE ASSISTANT

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon  
Zoning Commissioner  
Date: November 15, 1983  
FROM: Norman E. Gerber, Director  
Office of Planning and Zoning  
SUBJECT: James A. Gaffney, et ux  
84-149-A

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber  
Director of Planning and Zoning

NEG:JGH:cav

## Zoning Description

Situated at the intersection of Church and School Rds. Beginning on the south side of Church Rd., at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Being Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated Sept. 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Road in the ninth election district.



## PETITION FOR VARIANCE

9th Election District

ZONING: Petition for Variance  
LOCATION: Southwest corner of Church and School Roads  
DATE & TIME: Wednesday, December 7, 1983 at 10:30 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 15.5 ft. instead of the required 25 ft.

The Zoning Regulation to be excepted as follows:  
Section 1B02.3.C.1 - side yard setback in D.R. 5.5 zone

All that parcel of land in the Ninth District of Baltimore County

Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

## PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>uc</u>	Revised Plans Change in outline or description <u>Yes</u>									
Previous case: <u>None</u>	Map # <u>3C</u>									

Item #85

## PETITION FOR VARIANCE

9th Election District  
ZONING: Petition for Variance  
LOCATION: Southwest corner of Church and School Roads  
DATE & TIME: Wednesday, December 7, 1983 at 10:30 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:  
Petition for Variance to permit a side yard setback of 15.5 ft. instead of the required 25 ft.  
Other Zoning Regulations to be excepted as follows:  
Section 1B02.3.C.1 - side yard setback in D.R. 5.5 zone  
All that parcel of land in the Ninth District of Baltimore County situated at the intersection of Church and School Roads, beginning on the south side of Church Rd. at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Being Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated September 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Road in the ninth election district. Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.  
BY ORDER OF  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County  
Nov. 17

## CERTIFICATE OF PUBLICATION

TOWSON, MD. November 17, 1983  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week of one time before the 7th day of December, 1983, the first publication appearing on the 17th day of November, 1983.

THE JEFFERSONIAN,  
*L. Leach*  
Manager.

Cost of Advertisement, \$ 22.75

November 8, 1983

Mr. & Mrs. James A. Gaffney  
2921 Church Road  
Baltimore, Maryland 21234

## NOTICE OF HEARING

Re: Petition for Variance  
SW/corner of Church & School Rds.  
James A. Gaffney, et ux - Petitioners  
Case No. 84-149-A

TIME: 10:30 A.M.

DATE: Wednesday, December 7, 1983

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Mr. & Mrs. James A. Gaffney  
2921 Church Road  
Baltimore, Maryland 21234

November 22, 1983

Re: Petition for Variance  
SW/corner of Church & School Roads  
James A. Gaffney, et ux - Petitioners  
Case No. 84-149-A

Dear Mr. & Mrs. Gaffney:

This is to advise you that \$55.68 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 9 Date of Posting: 11/22/83  
Posted for: Petition for Variance  
Petitioner: James A. Gaffney, et ux  
Location of property: SW/corner of Church & School Rds.  
Location of Signs: Posting at intersection of Church & School Rds.  
Remarks: None  
Posted by: Arnold Jablon Date of return: 11/25/83  
Number of Signs: 1

Mr. & Mrs. James A. Gaffney  
2921 Church Road  
Parkville, Maryland 21234

cc: Purdon & Joschke  
2415 Maryland Avenue  
Baltimore, Maryland 21218

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 11th day of October, 1983.

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner  
Petitioner: James A. Gaffney, et ux  
Petitioner's Attorney: Nicholas B. Commodari  
Received by: Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 121573  
DATE: 9/27/83 ACCOUNT: 01-615-000  
AMOUNT: \$ 35.00  
RECEIVED FROM: James A. Gaffney  
FOR: File fee for Item #85  
1/Cal  
C 01600000555555 527AA  
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 122991  
DATE: 11/29/83 ACCOUNT: R-01-615-000  
AMOUNT: \$55.68  
RECEIVED FROM: James A. Gaffney  
FOR: Advertising & Posting Case #84-149-A  
C 03300000555555 529AA  
VALIDATION OR SIGNATURE OF CASHIER



# Petition For Variance

9TH ELECTION DISTRICT

ZONING: Petition for Variance

LOCATION: Southwest corner of Church and School Roads

DATE & TIME: Wednesday, Dec. 7, 1983 at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Variance to permit a side yard setback of 18.5 ft. instead of the required 25 ft.

The Zoning Regulation to be excepted as follows: Section 1B02.3.C.1 - side yard setback in D.R. 5.5 zone.

All that parcel of land in the Ninth District of Baltimore County.

Situated at the intersection of Church and School Rds. Beginning on the south side of Church Rd. at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Being Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated Sept. 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Rd. in the ninth election district.

Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
Of Baltimore County.

## The Times

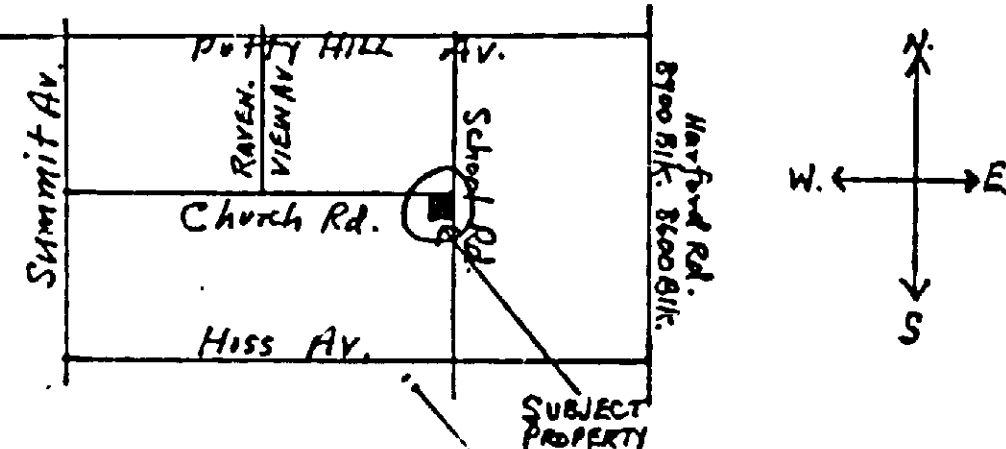
Middle River, Md., Nov. 17 1983

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 17th day of

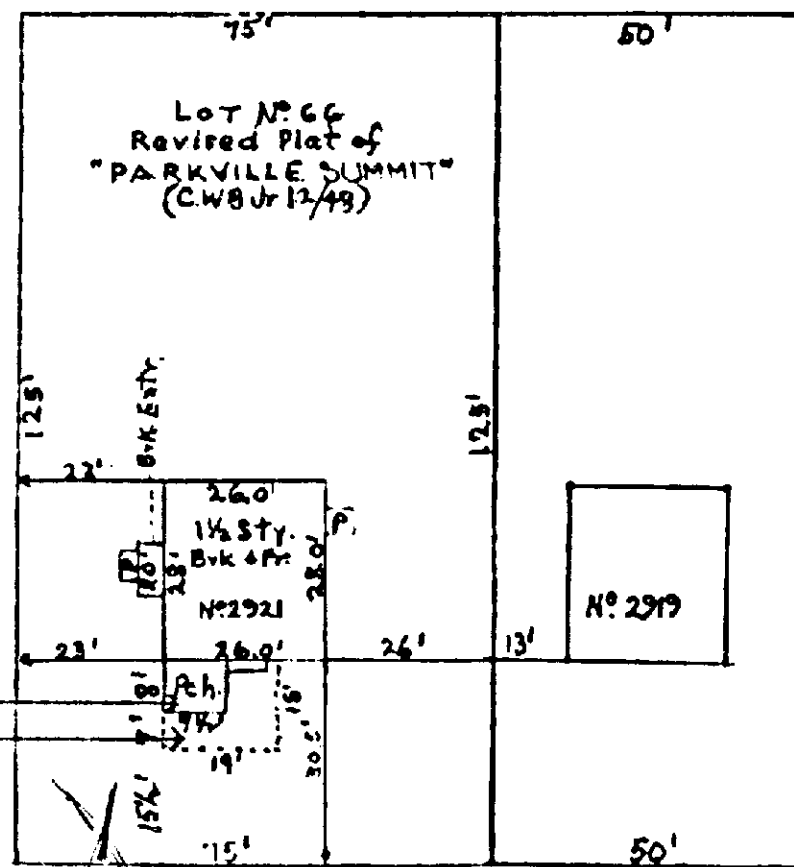
Nov. 1983  
Arnold Jablon Publisher.

VICINITY MAP



RESIDENTIAL  
(CLOSEST RESIDENCE IS AT THE N.W. CORNER OF HISS AVE. & SCHOOL RD.)

PETITIONER'S EXHIBIT



Existing Closed Sun Arch (8' x 9 1/2')  
Proposed addition to enlarge to 15' x 19'

CHURCH ROAD  
(50' R/W, 30' PAVING)

PLAT FOR ZONING VARIANCE  
OWNERS: JAMES A. & MARY JANE GAFFNEY  
ELECTION DISTRICT 9  
SUBDIVISION: PARKVILLE SUMMIT  
LOT No. 66, PLAT BOOK C.W.B. JR. No. 12, FOLIO 48.  
EXISTING FACILITIES IN CHURCH & SCHOOL ROADS.  
SCALE: 1" = 30'

This is to certify that I have surveyed the property known as:  
No. 2921 Church Road, Baltimore County, Maryland - 21234

For the purpose of locating the improvements thereon, and the improvements are located as shown.

Signed this 24th day of November 1983

PURDUM AND JESCHKE  
ENGINEERS AND LAND SURVEYORS  
2415 MARYLAND AVENUE  
BALTIMORE 18, MARYLAND

William D. Purdum  
Engineer and Land Surveyor

This plat is not intended for use in the establishment of property lines



# **PETITION FOR ZONING VARIANCE** §4-149-A TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1.20.2.3.C.1 to permit a side yard set back of 15.5 feet instead of the required 23 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)  
 The residence has only two (2) bedrooms, both being on the second floor. The Owners respectfully request that the Zoning Commissioner permit establishment of a bedroom on the first floor, to be accomplished by enlargement of the present enclosed sunporch from 8' X 9 1/2' to 15' X 19'. Addition of such a bedroom is urgently requested due to the fact that Owner James A. Gaffney (age 62) has previously had extensive varicose vein operations on both legs. In addition, Owner Mary Jane Gaffney (age 63) has a weakened left leg due to severe phlebitis. Because of these (continued on Attachment 1)  
 Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
N/A	James A. Gaffney
(Type or Print Name)	(Type or Print Name)
Signature	Signature
Address	Mary Jane Gaffney
City State	(Type or Print Name)
Attorney for Petitioner:	2921 Church Road (301) 665-3293
(Type or Print Name)	Address Phone No.
Signature	Parkville, Maryland 21234
Address	City and State
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
DATE	James A. Gaffney
Attorney's Telephone No.:	2921 Church Road (301) 665-3293
	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of October, 1983, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 7th day of December, 1983, at 10:30 o'clock A.M.

*Carl J. Jablon*  
 Zoning Commissioner of Baltimore County.

## **ATTACHMENT 1**

physical infirmities, avoiding use of the stairs to the second floor (14 steps) is very important.

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
 SW Corner of Church & School Rds. : OF BALTIMORE COUNTY  
 9th District  
 JAMES A. GAFFNEY, et ux, : Case No. 84-149-A  
 Petitioners

## **ORDER TO ENTER APPEARANCE**

Mr. Commissioner:  
 Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

*Peter Max Zimmerman*  
 Peter Max Zimmerman  
 Deputy People's Counsel

*John W. Hession, III*  
 John W. Hession, III  
 People's Counsel for Baltimore County  
 Rm. 223, Court House  
 Towson, MD 21204  
 494-2138

I HEREBY CERTIFY that on this 18th day of November, 1983, a copy of the foregoing Order was mailed to Mr. and Mrs. James A. Gaffney, 2921 Church Road, Parkville, MD 21234, Petitioners.

*John W. Hession, III*  
 John W. Hession, III

## **BALTIMORE COUNTY**

## **ZONING PLANS**

## **ADVISORY COMMITTEE**



## **PETITION AND SITE PLAN**

## **EVALUATION COMMENTS**

## **BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

COUNTY OFFICE BLDG.  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21204

Mr. & Mrs. James A. Gaffney  
 2921 Church Road  
 Parkville, Maryland 21234

RE: Case No. 84-149-A (Item No. 85)  
 Petitioners - James A. Gaffney, et ux  
 Variance Petition

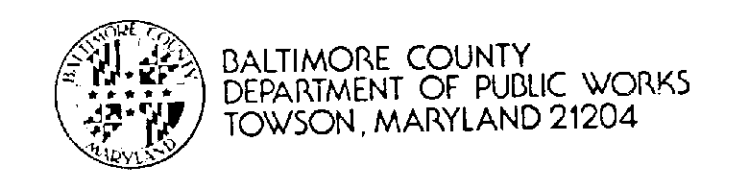
Dear Mr. & Mrs. Gaffney:  
 The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct an addition to the existing dwelling, this hearing is required. As indicated in my telephone conversation with Mrs. Gaffney, the petition forms were changed from the original request. This was done because it was decided that the front of the existing dwelling is on School Road.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
*Nicholas B. Comodari*  
 NICHOLAS B. COMODARI  
 Chairman  
 Zoning Plans Advisory Committee

Enclosures  
 ccc: Purdom & Jeschke  
 2015 Maryland Avenue  
 Baltimore, Maryland 21218



HARRY J. PISTEL, P. E.  
 DIRECTOR

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

RE: Item #85 (1983-1984)  
 Property Owner: James A. & Mary J. Gaffney  
 S/W corner School Road and Church Road  
 Acres: .75 X 125 District: 9th

Dear Mr. Jablon:  
 The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

**General:**  
 Baltimore County highway and utility improvements exist and are not directly involved.

Fillet areas for sight distance are required at the intersection of Church and School Roads.

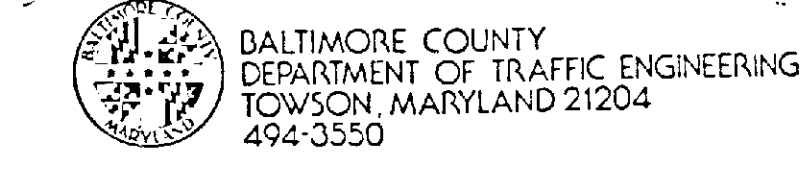
Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 85 (1983-1984).

Very truly yours,  
*Robert A. Morton, P.E.*  
 ROBERT A. MORTON, P.E., Chief  
 Bureau of Public Services

RAM:EAM:FWR:as  
 N-NE Key Sheet  
 32 ND 15 Pos. Sheet  
 NE & D Topo  
 71 Tax Map



STEPHEN E. COLLINS  
 DIRECTOR

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

Item No. 85, 86, 87, 91  
 Property Owner:  
 Location:  
 Existing Zoning:  
 Proposed Zoning:  
 ZAC- Meeting of October 11, 1983.

Acres:  
 District:  
 Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 85, 86, 87, and 91.

*Michael S. Flanigan*  
 Michael S. Flanigan  
 Traffic Engineering Assoc. II

MSF/ccm

## **BALTIMORE COUNTY, MARYLAND**

## **INTER-OFFICE CORRESPONDENCE**

Arnold Jablon, Zoning Commissioner  
 TO: Office of Planning and Zoning Date: October 26, 1983  
 FROM: Ian J. Forrest  
 SUBJECT: Zoning Variance Items  
 Meeting - October 11, 1983

The Baltimore County Department of Health has reviewed the following zoning items and does not anticipate any health hazards at this time regarding these items.

- Item #85 - James A. & Mary J. Gaffney
- Item #86 - Jerry & Vlasta Babicka
- Item #87 - Twenty-First Century Properties
- Item #91 - Midland Farms, Inc.

*Ian J. Forrest*  
 Ian J. Forrest, Director  
 BUREAU OF ENVIRONMENTAL SERVICES

IJF/rth







IN RE: PETITION ZONING VARIANCE \* BEFORE THE  
SW/corner of Church and School \* ZONING COMMISSIONER  
Roads - 9th Election District \*  
James A. Gaffney, et ux, \* OF BALTIMORE COUNTY  
Petitioners \* Case No. 84-149-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 15.5 feet instead of the required 25 feet. The purpose of their request is to permit construction of an addition of a bedroom, which would require enlarging the existing enclosed sun porch from 8' x 9' to 15' x 19', as more fully described on Petitioners' Exhibit 1.

The Petitioners appeared and were represented by Counsel. James A. Gaffney testified. There were no Protestants.

Counsel proffered that the single-family dwelling owned by the Petitioners is a two-story, two-bedroom home. The property is a corner lot with the front of the residence facing School Road and the side to Church Road, although the mailing address is Church Road. The Petitioners wish to expand into and from the existing sun porch in order to create a bedroom on the first floor where one presently exists. Both Mr. and Mrs. Gaffney are ailing and find it difficult and dangerous to use the stairs leading to the second floor of their home. Mr. Gaffney suffers from severe varicose veins and has had operations on both legs while Mrs. Gaffney suffers from severe phlebitis and has a weakened left leg. Due to these physical impairments, the Petitioners seek this variance in order to allow them to use the first floor of their home for living quarters, thereby eliminating the need to use the second floor. A bathroom already exists on the first floor. It would not be possible and/or feasible to expand elsewhere

because a variance would also be required to expand in the front, a kitchen porch and basement entrance already exist in the rear, and expansion on the opposite side would usurp the existing driveway and create a severe grading problem. On that side, there is at least a six-foot drop from the first floor which would require grading.

The addition would increase the value of the home and conform to the neighborhood since similar additions have been built onto other nearby homes.

The Petitioners seek relief from Section 1B02.3.C.1., pursuant to Section 307, of the Baltimore County Zoning Regulations (BCZR).

An area variance may be granted where strict application of the zoning regulation to the petitioner and his property would cause practical difficulty. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

*Anderson v. Bd. of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were to be granted, such use as proposed would not be contrary to the spirit of the regulations and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not to be granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use

of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of December, 1983, that the Petition for Variance to permit a side yard setback of 15.5 feet instead of the required 25 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

*Arnold Jablon*  
Zoning Commissioner of  
Baltimore County

#### BALTIMORE COUNTY, MARYLAND

##### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon  
Zoning Commissioner Date: November 15, 1983  
FROM: Norman E. Gerber, Director  
Office of Planning and Zoning  
SUBJECT: James A. Gaffney, et ux  
84-149-A

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber  
Director of Planning and Zoning

NEG:JGH:cav

ORDER RECEIVED FOR FILING  
DATE 10/15/83  
BY *John P. Lacy*  
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING  
DATE 10/15/83  
BY *John P. Lacy*  
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING  
DATE 10/15/83  
BY *John P. Lacy*  
ADMINISTRATIVE ASSISTANT

#### Zoning Description

Situated at the intersection of Church and School Rds. Beginning on the south side of Church Rd., at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Feing Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated Sept. 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Road in the ninth election district.

#### PETITION FOR VARIANCE 9th Election District

ZONING: Petition for Variance  
LOCATION: Southwest corner of Church and School Roads  
DATE & TIME: Wednesday, December 7, 1983 at 10:30 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 15.5 ft. instead of the required 25 ft.

The Zoning Regulation to be excepted as follows:  
Section 1B02.3.C.1 - side yard setback in D.R. 5.5 zone  
All that parcel of land in the Ninth District of Baltimore County

Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9 Date of Posting: 11/20/83  
Posted for: *Petition for Variance*  
Petitioner: *James A. Gaffney, et ux*  
Location of property: *5916 Church & School Rds.*  
Location of Signs: *Posting at Church & School Rds.*  
Remarks: *None*  
Posted by: *Arnold Jablon* Date of return: 11/25/83  
Number of Signs: 1

Mr. & Mrs. James A. Gaffney  
2921 Church Road  
Parkville, Maryland 21234

cc: Purdon & Joseph  
2135 Maryland Avenue  
Baltimore, Maryland 21218

#### BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 11th day of October, 1983.

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

Petitioner: James A. Gaffney, et ux Received by: *Nicholas B. Commodari*  
Petitioner's Attorney: *Nicholas B. Commodari*  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., November 12, 1983  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week of one time, November 12, 1983, before the 7th day of December, 1983, the next publication appearing on the 17th day of November, 1983.

THE JEFFERSONIAN  
*L. L. Lamb*  
Manager

Cost of Advertisement, \$ 62.75

PETITION FOR VARIANCE  
9th Election District  
LOCATION: Southwest corner of Church and School Roads  
DATE & TIME: Wednesday Decem. 7, 1983 at 10:30 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:  
Petition for Variance to permit a side yard setback of 15.5 ft. instead of the required 25 ft.  
The Zoning Regulation to be excepted as follows:  
Section 1B02.3.C.1 - side yard setback in D.R. 5.5 zone  
All that parcel of land in the Ninth District of Baltimore County, beginning at the intersection of Church and School Roads, beginning at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Feing Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated Sept. 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Road in the ninth election district. Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.  
BY ORDER OF  
ARNOLD JABLON  
Zoning Commissioner  
of Baltimore County  
Nov. 12

#### PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>uc</i>	Revised Plans: Change in outline or description Yes									
Previous case:	Map # <i>3C</i> No									

*Item #85*



# Petition For Variance

9TH ELECTION  
DISTRICT

ZONING: Petition for  
Variance

LOCATION: Southwest  
corner of Church and  
School Roads

DATE & TIME:  
Wednesday, Dec. 7, 1983 at  
10:30 a.m.

PUBLIC HEARING:  
Room 106, County Office  
Building, 111 W. Chesapeake  
Avenue, Towson,  
Maryland.

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 18.6 ft. instead of the required 25 ft.

The Zoning Regulation to be excepted as follows: Section 1B02.3.C.1 - side yard setback in D.R. 6.6 zone.

All that parcel of land in the Ninth District of Baltimore County.

Situated at the intersection of Church and School Rds. Beginning on the south side of Church Rd. at the distance of 19 feet south of the centerline of Church Rd. and 19 feet west of the centerline of School Rd. Being Lot No. 66 as shown on the Revised Plat of Parkville Summit, which Plat is dated Sept. 29, 1938 and recorded among the Land Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, folio 48. Also known as 2921 Church Rd. in the ninth election district.

Being the property of James A. Gaffney, et ux, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
Of Baltimore County.

## The Times

Middle River, Md., Nov. 17 1983

This is to Certify, That the annexed

Petition

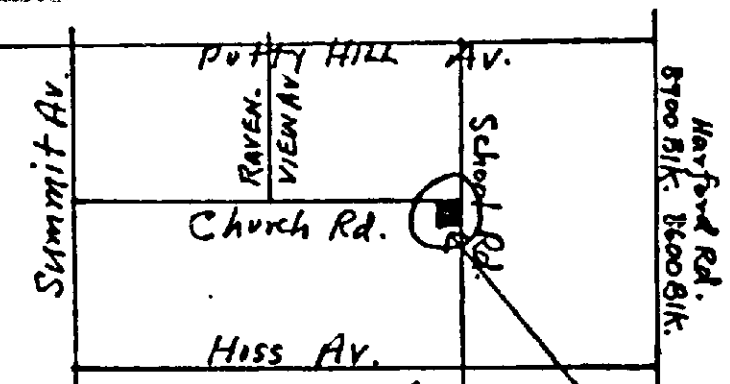
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive

weeks before the 17th day of

Nov. 1983  
Arnold Jablon Publisher.



VICINITY  
MAP



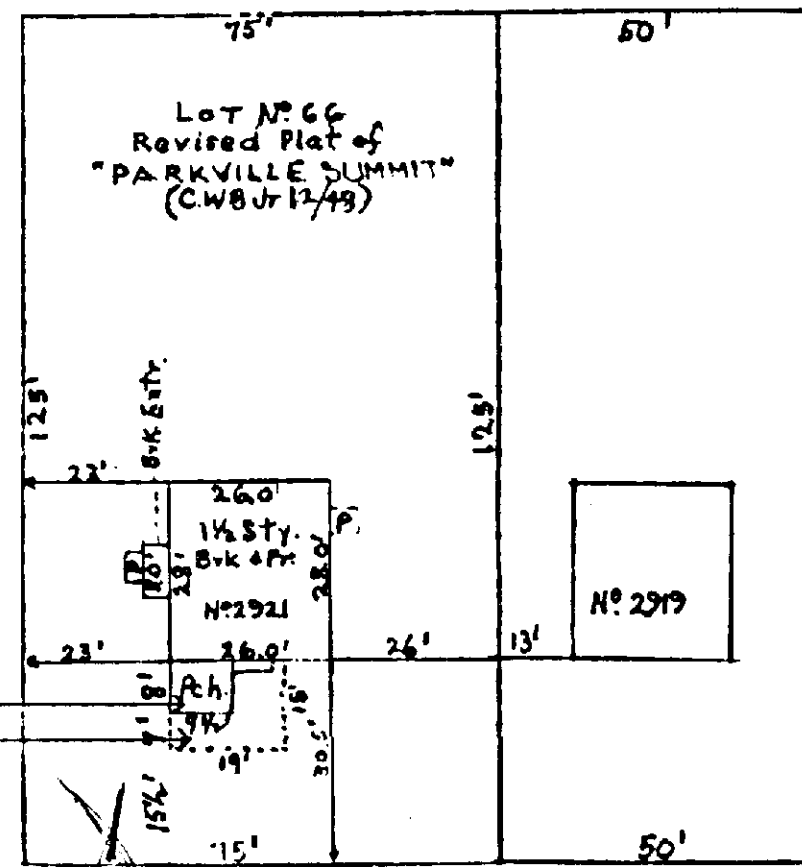
SUBJECT  
PROPERTY

Scale: 1" = 30'

RESIDENTIAL  
(CLOSEST RESIDENCE  
IS AT THE N.W.  
CORNER OF HISS AVE.  
& SCHOOL RD.)

PETITIONER'S  
EXHIBIT

CHURCH ROAD  
(40' R/W, 30' PAVING)



Existing Closed Sun  
Arch (8' x 9 1/2')  
Proposed addition  
to enlarge to 15' x 19'

CHURCH ROAD  
(50' R/W, 30' PAVING)

PLAT FOR ZONING VARIANCE  
OWNERS: JAMES A. & MARY JANE GAFFNEY  
ELECTION DISTRICT 9  
SUBDIVISION: PARKVILLE SUMMIT  
LOT No. 66, PLAT BOOK C.W.B. JR. No. 12, FOLIO 48.  
EXISTING FACILITIES IN CHURCH & SCHOOL ROADS.  
SCALE: 1" = 30'

This is to certify that I have surveyed the property known as:  
No. 2921 Church Road, Baltimore County, Maryland-21234

for the purpose of locating the improvements shown, and the improvements are located as shown.

Signed this 26th day of November 1983

William D. Purdum  
Engineer and Land Surveyor

PURDUM AND JESCHKE  
ENGINEERS AND LAND SURVEYORS  
2415 MARYLAND AVENUE  
BALTIMORE 18, MARYLAND

Plan # 15

This plat is not intended for use in  
the establishment of property lines

